

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

UMOJA, P.C.

Defendant.

CASE NUMBER: 4:14CR3009-001

USM Number:

PRO SE  
DEFENDANT'S ATTORNEY

**JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed On or After November 1, 1987)

**THE DEFENDANT** pleaded guilty to count I of the Information on 02/11/2014.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following offense:

| <u>Title, Section &amp; Nature of Offense</u> | <u>Date Offense Concluded</u> | <u>Count Number</u> |
|---|-------------------------------|---------------------|
| 18:1347 and 2 HEALTH CARE FRAUD               | 9/8/2012                      | I                   |

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Following the imposition of sentence, the Court advised the defendant of the right to appeal pursuant to the provisions of Fed. R. Crim. P. 32 and the provisions of 18 U.S.C. § 3742 (a) and that such Notice of Appeal must be filed with the Clerk of this Court within fourteen (14) days of this date pursuant to Fed. R. App. P. 4.

The defendant shall cooperate in the collection of DNA, pursuant to Public Law 108-405 (Revised DNA Collection Requirements under the Justice for All Act of 2004).

**IT IS ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:  
July 09, 2014

/s/ Lyle E. Strom  
LYLE E. STROM, Senior Judge  
United States District Court

July 15, 2014

## **PROBATION**

The defendant is hereby sentenced to probation for a term of **5 years**.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two period drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with any additional conditions.

## **STANDARD CONDITIONS OF SUPERVISION**

1. The defendant shall maintain its corporate status in Nebraska, and shall maintain all corporate formalities, including a registered agent;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall notify the probation officer at least ten days prior to any change in ownership of its shares or other corporate equity;
5. The defendant shall not do business with any persons engaged in criminal activity and shall not do business with any person convicted of a felony, unless granted permission to do so by the probation officer;
6. The defendant shall permit a probation officer to visit and inspect its premises and its business records at any time;
7. The defendant shall notify the probation officer within seventy-two hours of being questioned by a law enforcement officer, including representatives of administrative enforcement agencies charged with enforcing clean air and water standards; and
8. The defendant shall report to the United States Probation office for the District of Nebraska between the hours of 8:00am and 4:30pm, 111 South 18th Plaza, Suite C79, Omaha Nebraska, (402) 661-7555, within seventy-two (72) hours of being placed on probation and, thereafter, as directed by the probation officer.

**SPECIAL CONDITIONS OF SUPERVISION**

1. The business properties and records shall submit to a search conducted by a United States Probation Officer at any time; failure to submit to a search may be grounds for revocation.
2. UMOJA shall pay restitution in the amount of \$15,530.54 to the Clerk of the U.S. District Court, 111 S. 18th Plaza, Suite 1152, Omaha, Nebraska 68102-1322. Restitution shall be paid in accordance with the schedule set forth in the "Schedule of Payments" set forth in this judgment. The defendant shall be responsible for providing proof of payment to the probation officer as directed.

| <b>Victim's Name</b>   | <b>Amount</b> |
|--|---------------|
| NE Department of Health and Human Services,<br>Division of Medicaid & Long Term Care<br>Attn: Medicaid Fraud Control Unit<br>2115 State Capital<br>Lincoln, NE 68509 | 15,530.54     |

Without limiting the foregoing, UMOJA shall pay 25% of business gross income to satisfy the criminal monetary penalty in the following manner: (a) monthly installments of \$100 or 5% of the defendant's gross income, whichever is greater; (b) the first payment shall commence 30 days following sentencing, and continue until the criminal monetary penalty is paid in full; and (c) the defendant shall be responsible for providing proof of payment to the probation officer as directed.

3. The defendant is prohibited from incurring new credit charges or opening additional lines of credit without prior written approval of the probation officer.
4. The defendant shall provide the probation officer with access to any requested financial information.
5. UMOJA shall pay the special assessment in the amount of \$400. Payment should be made to the Clerk of the U.S. District Court, 111 South 18th Plaza, Suite 1152, Omaha, Nebraska, 68102-1322 or the Clerk of the U.S. District Court, 100 Centennial Mall North, Rm. 593, Lincoln, NE 68508-3803.

**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

**Total Assessment**

\$400.00

**Total Fine****Total Restitution**

\$15,530.54

The Court has determined that the defendant does not have the ability to pay interest and it is ordered that interest requirement is waived.

**FINE**

No fine imposed.

**RESTITUTION**

Restitution in the amount of \$15,530.54 hereby ordered. The defendant shall make restitution to the following payees in the amounts listed below.

| <b><u>Name of Payee</u></b>                      | <b><u>Total Amount of Loss</u></b> | <b><u>Amount of Restitution<br/>Ordered</u></b> | <b><u>Priority Order or<br/>Percentage of<br/>Payment</u></b> |
|--|------------------------------------|---|---|
| NE Department of<br>Health and Human<br>Services | 15,530.54                          | 15,530.54                                       | 100   |
| <b>Totals</b>                                    | <b>\$15,530.54</b>                 | <b>\$15,530.54</b>                              |   |

**\*\*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.**

The Court gives notice that this case involves other defendants who may be held jointly and severally liable for payment of all or part of the restitution ordered herein and may order such payment in the future.

**SCHEDULE OF PAYMENTS**

The defendant shall pay the special assessment in the amount of \$400.00.

The criminal monetary penalty is due in full on the date of the judgment. The defendant is obligated to pay said sum immediately if he or she has the capacity to do so. The United States of America may institute civil collection proceedings at any time to satisfy all or any portion of the criminal monetary penalty.

Without limiting the foregoing, UMOJA shall pay 25% of business gross income to satisfy the criminal monetary penalty in the following manner: (a) monthly installments of \$100 or 5% of the defendant's gross income, whichever is greater; (b) the first payment shall commence 30 days following sentencing, and continue until the criminal monetary penalty is paid in full; and (c) the

defendant shall be responsible for providing proof of payment to the probation officer as directed.

Any payments made on the outstanding criminal monetary penalty shall be applied in the following order of priority: special assessment; restitution; fine; and other penalties. Unless otherwise specifically ordered, all criminal monetary penalty payments, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, shall be made to the clerk of the Court. Unless otherwise specifically ordered, interest shall not accrue on the criminal monetary penalty.

All financial penalty payments are to be made to the Clerk of the U. S. District Court, 111 S. 18th Plaza, Suite 1152, Omaha, NE 68102-1322 or Clerk of the U. S. District Court, 100 Centennial Mall North, 593 Federal Building, Lincoln, NE 68508.

UMOJA shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

UMOJA shall inform the probation officer of any change in their economic circumstances affecting the ability to make monthly installments, or increase the monthly payment amount, as ordered by the court.

UMOJA is restrained from transferring any real or personal property, unless it is necessary to liquidate and apply the proceeds of such property as full or partial payment of the criminal monetary penalty.

Restitution is hereby ordered jointly and severally with: James L. Holt, case number 4:13cr3051, in the amount of \$15,530.54.

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CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: \_\_\_\_\_

DENISE M. LUCKS, CLERK

By \_\_\_\_\_ Deputy Clerk